

## Attachment H

## COVER SHEET (PAGE 1 of 2)

## May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Proposal Title: Hayson River Ranch Perpetual Easement and Restoration  
 Applicant Name: East Stanislaus RCD and Friends of the Tuolumne  
 Mailing Address: 711 County Center III, Ste. B, Modesto, CA 95355  
 Telephone: (209) 569-0497  
 Fax: (209) 569-0102

Amount of funding requested: \$ 732,000 for one years

Indicate the Topic for which you are applying (check only one box). Note that this is an important decision: see page \_\_\_ of the Proposal Solicitation Package for more information.

- |   |   |
|---|---|
| <input type="checkbox"/> Fish Passage Assessment  | <input type="checkbox"/> Fish Passage Improvements    |
| <input checked="" type="checkbox"/> Floodplain and Habitat Restoration                    | <input type="checkbox"/> Gravel Restoration           |
| <input type="checkbox"/> Fish Harvest   | <input type="checkbox"/> Species Life History Studies |
| <input type="checkbox"/> Watershed Planning/Implementation                                | <input type="checkbox"/> Education                    |
| <input type="checkbox"/> Fish Screen Evaluations - Alternatives and Biological Priorities |   |

Indicate the geographic area of your proposal (check only one box):

- |   |  |
|---|--|
| <input type="checkbox"/> Sacramento River Mainstem              | <input type="checkbox"/> Sacramento Tributary: _____             |
| <input type="checkbox"/> Delta                                  | <input type="checkbox"/> East Side Delta Tributary: _____        |
| <input type="checkbox"/> Suisun Marsh and Bay                   | <input checked="" type="checkbox"/> San Joaquin Tributary: _____ |
| <input type="checkbox"/> San Joaquin River Mainstem             | <input type="checkbox"/> Other: _____                            |
| <input type="checkbox"/> Landscape (entire Bay-Delta watershed) | <input type="checkbox"/> North Bay: _____                        |

Indicate the primary species which the proposal addresses (check no more than two boxes):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> San Joaquin and East-side Delta tributaries fall-run chinook salmon |  |
| <input type="checkbox"/> Winter-run chinook salmon  | <input type="checkbox"/> Spring-run chinook salmon |
| <input type="checkbox"/> Late-fall run chinook salmon   | <input type="checkbox"/> Fall-run chinook salmon   |
| <input type="checkbox"/> Delta smelt  | <input type="checkbox"/> Longfin smelt             |
| <input type="checkbox"/> Splittail  | <input type="checkbox"/> Steelhead trout           |
| <input type="checkbox"/> Green sturgeon   | <input type="checkbox"/> Striped bass              |
| <input checked="" type="checkbox"/> Migratory birds   |  |

COVER SHEET (PAGE 2 of 2)

May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Indicate the type of applicant (check only one box):

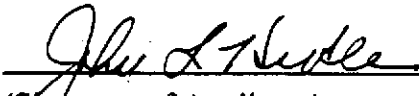
- |   |   |
|---|---|
| <input type="checkbox"/> State agency                         | <input type="checkbox"/> Federal agency |
| <input type="checkbox"/> Public/Non-profit joint venture      | <input type="checkbox"/> Non-profit     |
| <input checked="" type="checkbox"/> Local government/district | <input type="checkbox"/> Private party  |
| <input type="checkbox"/> University                           | <input type="checkbox"/> Other: _____   |

Indicate the type of project (check only one box):

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Planning   | <input checked="" type="checkbox"/> Implementation |
| <input type="checkbox"/> Monitoring | <input type="checkbox"/> Education                 |
| <input type="checkbox"/> Research   |  |

By signing below, the applicant declares the following:

- (1) the truthfulness of all representations in their proposal;
- (2) the individual signing the form is entitled to submit the application on behalf of the applicant (if applicant is an entity or organization); and
- (3) the person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section II.K) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.

  
\_\_\_\_\_  
(Signature of Applicant)

  
\_\_\_\_\_

CALFED BAY DELTA PROPOSAL  
EXECUTIVE SUMMARY

a.       GRAYSON RIVER RANCH PERPETUAL CONSERVATION EASEMENT  
          AND HABITAT RESTORATION

Lead Agency:   East Stanislaus Resource  
                  Conservation District (ESRCD)

Co-applicant:   Friends of the Tuolumne

b.   The Grayson River Ranch (approximately 140 acres of riparian habitat) perpetual conservation easement and habitat restoration project has received partial funding from the Natural Resources Conservation Service (NRCS). The NRCS Wetland Reserve Program (WRP) has approved \$311,000 through the WRP. This application requests funds to complete the easement purchase and fund the restoration.

This property is floodplain that has been farmed until this year. It flooded in January 1997. The adjacent property is apple and cherry orchards. The primary objective is to restore a naturally self-sustaining riparian floodplain. Restoration would return the property to native vegetation including cotton woods, box elder, valley oak, willows, and others.

The property is adjacent to 1.2 miles of river on the south bank of the Tuolumne River, 5.1 miles upstream from the confluence with the San Joaquin River. It is within 5 miles of the new San Joaquin River Wildlife Refuge and would complement the refuge in the future with mature, large trees for roosting and nesting as well as feeding territory. It may also become habitat for brush rabbits and other mammals because it is isolated from regular human impact and approximately one mile north of Grayson Road.

This project addresses CALFED objectives for Riparian and Riverine Aquatic Habitat and several Species Groups Visions including chinook salmon, steelhead trout, neotropical migratory bird guild, and several others detailed in pages following.

c.   When the remaining funding is secured and the easement purchase is complete, the NRCS will assist with and approve the design plan. Planning will determine if the most effective method of restoring the hydrology is to create a backwash that allows most of the property to flood seasonally, or if the levee should be removed in part. The design and recontour plans will restore the natural hydrology and thus allow the vegetation to flourish. Planting could begin within months.

d.   The Grayson River Ranch is ideal property because its width allows opportunity to restore a full riparian community and floodplain function. It has elevation changes which will allow for a wide variety of plant species. The Tuolumne River has a healthy self-sustaining run of fall chinook salmon. This project will enhance the habitat for migrating fall-run salmon and for salmon

and steelhead smolt rearing. It will also increase habitat for migrating and resident birds. It is an ideal property, also, due to its proximity to refuge properties. This property will act as a filter for agriculture runoff and thereby improve water quality. The project will restore habitat, conserve land within the floodplain, focus on salmon and steelhead trout habitat, and provide broad ecosystem benefits.

e. The cost is reasonable and has been offset by NRCS WRP. The total cost is expected to be \$1,043,000 and will be offset with \$311,000 WRP funds.

Because of its conformation, flood waters enter the property and leave the property without threatening adjacent landowners. There should be no negative impacts to any third party.

f. The East Stanislaus Resource Conservation District (ESRCD) is a relatively new RCD. However, it is supported by Mike McElhiney, an experienced NRCS District Conservationist. The ESRCD is anxious to work with the NRCS to improve the environment and sustainable farming in our county. As an RCD it brings to the project all the technical expertise available through a Memorandum of Understanding with the NRCS. Friends of the Tuolumne is a local 501(c)(3) non-profit. They have been very active locally in Tuolumne River fishery and habitat issues. They are active in the Tuolumne River Technical Advisory Committee (TRAC) and are signatories the 1995 Don Pedro Dam FERC Settlement Agreement.

g. Monitoring is a responsibility of the NRCS. The NRCS performs annual inspections of the project. More detailed monitoring has been budgeted. Evaluation of the project will be reported annually to the TRAC for several years to help them in their efforts to restore the river. The monitoring will address the effectiveness in recreating a self-sustaining floodplain and the health of the revegetation.

h. This project is fully compatible with all CALFED objectives in its location, scope, and targeted species, especially fall run chinook salmon and steelhead trout. It is ideal riparian property that could be restored to a full riparian community. The hydrology will allow it to be self-supporting for a wide range of aquatic and terrestrial species--both of plants and animals.

It is of substantial interest to the community and has been endorsed by several organizations including the Tuolumne River Technical Advisory committee. (See the attached letters of support.)

The TRAC (a technical committee resulting from the 1995 FERC Settlement Agreement) has compiled a restoration plan for the 52 miles between the San Joaquin River and La Grange Dam. This project was ranked 9 points out of a possible 10 for the restoration plan.

a. GRAYSON RIVER RANCH PERPETUAL CONSERVATION EASEMENT  
AND RESTORATION

b. East Stanislaus Resource Conservation District (ESRCD)  
and Friends of the Tuolumne (Friends)  
711 County Center III, Ste. B  
Modesto, CA 95355

(209) 569-0497  
FAX (209) 569-0102

Affiliated with the Natural Resources Conservation Service  
Wetlands Reserve Program  
District Conservationist: Michael A. McElhiney

c. ESRCD: Local government agency, resource conservation district  
Tax Status: Non-taxable

Friends: Non-profit organization  
Tax Status: 501(c)(3) Charitable

d. ESRCD 77-0451977  
Friends of the Tuolumne 77-0404340

e. Tuolumne River Technical Advisory Committee

#### IV. PROJECT DESCRIPTION

##### a. Project Description and Approach

The landowner of Grayson River Ranch has successfully applied for a Natural Resources Conservation Service (NRCS) Wetlands Reserve Program (WRP) grant to establish a perpetual conservation easement for 136.9 acres of riparian property along the Tuolumne River. The WRP has funded \$2,000 per acre. WRP funds are also being held for an additional three acres adjacent and upstream of the larger parcel, bringing the total acreage of this project to 139.9 acres.

The project includes property that has been intensely cultivated until last year. High river flows and recurrent flooding frequently inundate portions of the property. The January 1997 flood caused considerable damage to the property and flooded the entire proposed project area.

This project would restore a full community of riparian vegetation and re-establish self-sustaining hydrology. The method for restoring the hydrology may be by creating a backwash allowing the property to flood seasonally and then drain back into the Tuolumne River. Breaking the privately owned, non-project levee is also being considered. The NRCS will make the determination as to the best method to re-establish permanent and natural hydrology. A self-sustaining riparian habitat of native species including oaks, cottonwoods, willows, box elder, elderberry and other appropriate selections will be established. We expect that the higher elevations may need irrigation to establish, for example, a valley oak savannah. We intend to use extensions to the irrigation installed by the land owner for initial establishment of riparian woody vegetation.

This property is especially desirable because it not only extends along the river for approximately 1.2 miles, but includes elevation changes ranging from land that is normally wet all spring to land that only floods in the rarest of years.

Once the easement acquisition is completed, the NRCS will provide engineering assistance for any excavation required. The NRCS will also assist with the restoration of native plants.

##### b. Proposed Scope of Work

The initial phase of acquiring an NRCS WRP perpetual conservation easement on 136.9 acres has been completed; the WRP has committed funding for these acres. The WRP has also reserved funding for the additional three acres at the highest elevation, bringing the total acreage of this project to 139.9 acres. Based on that commitment, the landowner has signed a letter of intent to move ahead with establishing this easement and has accepted the NRCS offer contingent upon receipt of the appraised agricultural value for the property. The property has been assessed.

The next step is to complete the funding package. When funding is secured and the easement acquired, the NRCS will assist with the detailed restoration plans including design for land recontouring, replanting of native trees and plants, and specifics of monitoring activities. The extent of restoration will be commensurate with funding received for this project. When planning is complete the physical improvements will be initiated at the earliest opportunity.

The NRCS is responsible for carrying out the defined monitoring activities including a mandatory annual inspection to insure that the conservation easement is being properly maintained. Minimum monitoring activities will be consistent with NRCS guidelines. Additional monitoring has been budgeted to monitor and report the restoration results.

The project total cost of \$1,043,000 will cover all costs of purchase, engineering, design, replanting, and monitoring. (See details in section V.) The NRCS commitment for \$311,000 is contingent upon completion of funding, planning, and execution of all these tasks to provide a self-sustaining improvement.

The completion schedule is dependent upon timing of funding. It is expected to move forward quickly following full funding. We expect the acquisition to be complete and on-site work to begin in the spring or summer of 1999. The landowner is a willing participant, so this project should move smoothly to completion. (See details in section V.)

The top three acres were not included in the May, 1998, appraisal. Their estimated value is \$30,000, which is higher than the other acreage because they are appraised as more valuable agricultural land and were planted with fruit trees and irrigation was installed.

It is possible to remove these three acres from the project. It is an elongated parcel which provides nearly one quarter mile of additional river interface. Since it is on the highest ground, it also adds the potential for a small community of valley oak savannah (or other tall trees) to provide additional roosting and nesting habitat when the trees mature.

We recommend including these three acres in the perpetual easement despite their cost due to the diversity it provides to the property, its extended river interface, and the fact that they will otherwise be placed in permanent crops and thus be unavailable for restoration for the foreseeable future. The NRCS has allowed their accepted offer to be expanded to include this additional acreage. Finalizing the partial funding through the NRCS appears probable.

Other than removing the highest elevation three acres, most of the proposal must be funded in order to receive NRCS WRP funding. Project total cost of \$1,043,000 will cover all costs of purchase, engineering, replanting, and monitoring. (See details in section

V.) The NRCS commitment is contingent upon funding, planning, and execution of these tasks to provide a self-sustaining improvement.

c. Location and/or Geographic Boundaries of the Project

The Grayson Ranch is in Stanislaus County, on the left bank (south side) of the Tuolumne River from river mile 5.1 to mile 6.3, and one mile north of Grayson Road. It is, therefore, within five miles of the San Joaquin River and the San Joaquin Wildlife Preserve. The project includes 139.9 acres. The river bends here creating a wide peninsula. See maps.

d. Expected Benefits

This project is one of many potential projects described in the draft Tuolumne River Corridor Restoration Plan prepared by McBain and Trush, the consulting firm engaged by the Tuolumne River Technical Advisory Committee (TRTAC). The TRTAC is a watershed group comprised of Turlock Irrigation District, Modesto Irrigation District, City and County of San Francisco, California Fish and Game, and U.S. Fish and Wildlife Service. Two environmental groups, the Friends of the Tuolumne and the Tuolumne River Preservation Trust also attend the meetings. This project has been reviewed by the TRTAC and is consistent with TRTAC objectives. (See attached letter of support.)

This project earned 9 points out of a possible 10 points for riparian projects on the 52 miles of lower Tuolumne River from the La Grange Dam to the confluence with the San Joaquin River when ranked by McBain and Trush and the TRTAC.

Both salmon and steelhead are first tier primary species identified as a focus of the CALFED funding process. This project would provide 139.9 acres of seasonal wetland habitat and 1.2 miles of shaded riverine aquatic habitat in an area that was previously intensively cultivated. It will provide cover and safety for migrating fish and rearing habitat, decreased stream velocities and channelization, and lower thermal input to the water. Reestablishment of the riparian community will improve the vegetative input to the stream and thus improve the available food chain from microorganisms up through invertebrates. These processes will improve migratory habitat and smolt survival habitat for San Joaquin fall run chinook salmon which spawn in the Tuolumne River. It would also improve habitat for steelhead trout, which we expect to reestablish itself in the Tuolumne River due to the increased flows required by the 1995 Don Pedro FERC Settlement Agreement. Outmigrating steelhead trout have been counted in the Tuolumne River according to Dennis McEwan, Associate Fishery Biologist, for the California Department of Fish and Game, the Department's steelhead specialist.

The western yellow billed cuckoo, neo-tropical song birds, waterfowl and migratory birds, would also benefit due to establishment of riparian trees and shrubs. The brush rabbit,



riparian wood rat, frogs, toads, pond turtles, and Valley Elderberry Longhorn Beetle are other species which would also benefit from the restoration.

The project would restore natural hydrology by allowing the property to flood seasonally, resulting in re-establishment of fine sediment deposition on the floodplain, riparian zone vegetative regeneration, and in-stream woody debris recruitment.

Downstream property owners will benefit from increased floodplain water storage during times of high river flows. Water quality will improve in the delta due to the buffer/filter aspects of re-establishing this riparian zone separating agricultural runoff from the riverine environment. River velocities will also be reduced by increased water storage in wetlands which will result in less bay-delta turbidity and deposition.

The levee on this site currently prevents all the above processes from taking place. Seasonal flooding will maintain the riparian vegetation under either engineering alternative, removing part of the levee or creating a backwash allowing water to flow onto the property. The existing levee has required frequent and sometimes extensive repairs in prior years as a result of high water. The levee will not be maintained and the river will be allowed to have its way, resulting in natural river flows as the levee deteriorates. Native plant species will be reintroduced to the property including valley oak, willows, cotton wood, box elder, and other woody and herbaceous species. 1.2 miles of shaded riverine aquatic habitat will help to reduce thermal heating of the water, provide organic debris for aquatic invertebrates while providing cover and resting habitat for avian species. The habitat created will be diverse, ranging from wetland to dry savanna due to the elevation changes on site.

#### e. Background and Ecological/Biological/Technical Justification

The lower Tuolumne River is heavily cultivated down to the bank and has extensive levee and other erosion control structures which prevent natural river hydrology. Many floodplains have been converted to agricultural uses by the creation of levee systems and their riparian woodlands removed. The cooling effects of shade and the cover/protection provided to salmon and steelhead trout has been greatly reduced. The levees have created deep channels with swift currents at the river's edge where there would naturally be shallow, slow moving, protected habitat for both adult and young salmon and steelhead trout. Roosting and nesting habitat for birds has disappeared with the loss of riparian woodlands. Backwater sloughs and wetlands upon which frogs, toads, pond turtles, anadromous smolt and birds rely for habitat has also disappeared as a result of agricultural development in riparian zones. This project will provide new habitat and mitigate these impacts and provide benefits discussed above.

This property was recently purchased. The new owner would like to

remove the lower 139.9 acres from agricultural use due to its marginal utility for his plans. If a conservation easement is not purchased soon, it will be planted in permanent crops with significant fixed costs. It would then be unavailable for easement acquisition for the foreseeable future.

This project needs to be done now to assure that these 139.9 acres are not returned to farming, but are returned instead to riparian forest and floodplain. At the present time, only three acres have been developed into orchard, but there is the likelihood that most of the project would be converted to orchard. The land, under previous ownership, had been farmed for annual crops. This is an opportunity to buy the permanent easement at undeveloped farm acreage assessed value (with the exception of only three acres).

The ERPP objectives addressed by this proposal include Section: Habitat Visions, Riparian and Riverine Aquatic Habitat, Volume I pp. 77-78 and Section: Species and Species Group Visions, Chinook Salmon, Steelhead Trout, Giant Garter Snake and Western Pond Turtle, Swainson's Hawk, Western Yellow-Billed Cuckoo, Riparian Brush Rabbit, and Neotropical Migratory Bird Guild, Volume I pp. 123-125.

This proposal is consistent with the AFRP Action to improve watershed management and restore and protect instream and riparian habitat as described in the Revised Draft Restoration Plan for the Anadromous Fish Restoration Program, May 1997.

This project will return 1.2 miles of the Tuolumne River to its naturally fluctuating hydrology and will not require intervention in future years. It will accommodate normal annual hydrologic/climatic changes and thus enhance the ecosystem processes related to floodplains. It will allow floodwater to be held during high water events. More importantly, it will serve as an agricultural buffer and runoff filter as well as habitat for migrating fish and fowl. Removing the levee or developing a backwash onto the project will provide slack water habitat for anadromous smolts. It will restore floodplain that has not existed since agriculture began on this property.

This is a new project. It is the first WRP perpetual conservation easement in Stanislaus county and the first conservation easement of any kind on the Tuolumne River. If this project is successfully funded and implemented, we expect other agricultural landowners to apply for conservation easement programs. Since there are currently no conservation easements on the Tuolumne River, we believe this project will spur others to pursue easements. We hope to use it as a demonstration project and to continue with more projects of this nature.

It involves a willing and committed landowner and the NRCS, which has agreed to fund it at the rate of \$2,000 per acre, the maximum for the WRP. The project fits well with both the goals of the NRCS and the TRTAC draft Tuolumne River Corridor Restoration Plan.

The status of supporting documentation is as follows:

TRTAC Draft Tuolumne River Corridor Restoration Plan--no changes are expected. The schedule of riparian projects and their ranking is attached.

NRCS agreement to fund \$2,000 per acre  
Dated May 1998. See attached.

f. Monitoring and Data Evaluation

Monitoring and evaluation is the responsibility of the NRCS and will conform at minimum to NRCS guidelines. The NRCS will monitor the easement annually to insure the terms of the conservation easement are being honored. The replanted vegetation will be monitored and evaluated by the NRCS.

Additional monitoring has been budgeted to provide written evaluation of the project to be reported annually to the TRTAC for several years to help them in their efforts to restore the river. The evaluation will discuss the health of the various riparian plants and the effectiveness of the re-established natural hydrology.

g. Implementability

This project will be in compliance with all laws and regulations. The necessary permits will be acquired by NRCS and co-applicants. Environmental review will be consistent with CEQA or NEPA per NRCS policy and procedures. The TRTAC will be kept informed to provide coordination with their other projects.

There is strong support from the local environmental community. (See the attached copies of letters of support) Several public speaking opportunities have been used by our District Conservationist to explain this project and others and to keep the public informed. The Friends of the Tuolumne have also made presentations to several local groups.

## V. COSTS AND SCHEDULE TO IMPLEMENT PROPOSED PROJECT

### a. Budget Costs

The total project cost is estimated to be \$1,043,000, which includes purchase of a perpetual conservation easement on approximately 140 acres, restoring the natural hydrology with either a levee break or recontouring for river water backflow, and replanting with native vegetation, including irrigation and plant caging/tubing when necessary. The net request for CALFED funds is \$732,000 with matching funds committed by the NRCS of \$311,000.

Operation and maintenance costs will be limited with this project since it will be a self-sustaining improvement. Minor costs will be incurred for several years. Examples of such costs include irrigation repairs and replanting as needed during the establishment period.

It is possible to fund this project with less than the full request by deleting portions of it. Incremental reductions would decrease the value of the restoration, but many of its qualities would be maintained. Of primary importance is acquisition of the easement itself and limited restoration.

This proposal includes a three acre parcel on the highest ground and the most upstream point on the property. It is relatively expensive compared to the other acres. It is more expensive because it is appraised at a higher agricultural value and has a young fruit orchard. It is possible to delete these acres. However, they offer valuable ecological diversity to the parcel due to its higher elevation. Additionally, these three acres are elongated so that river interface is extended more than 1,300 feet or nearly one quarter mile.

Easement improvements are budget items addressing the quality of the restoration and its immediate benefits. A more limited restoration would provide valuable habitat, but would take many years for natural processes to restore the floodplain. Over time, most objectives would probably be met by natural regeneration and by modification of the property through natural hydrologic events like those of 1997. The fully funded project as proposed assures rapid rehabilitation without reliance on naturally occurring high water hydrologic events. Rather than waiting for another high water year such as 1997, our proposal will immediately restore hydrology by either breaking the levee or excavation of a backwash.

See the attached Budget Table.

Subcontract bid and evaluation process will be consistent with NRCS guidelines.

b. Schedule Milestones

When complete funding is available, the acquisition of the perpetual conservation easement will be finalized and the hiring of consultants to design the contouring and/or levee modifications and the vegetation replanting will begin immediately.

When the design for the contouring/regrading/levee modifications is complete, the contractor will be selected. Regrading should be completed during the spring or summer of 1999.

When the design for the vegetation replanting is complete, the vegetation will be ordered. Planting will begin when the regrading/contouring/levy modifications are complete. The planting will be scheduled for Fall of 1999. Monitoring will begin immediately with subsequent replanting during the next three years.

Payment for the acquisition of the perpetual conservation easement will trigger all the following steps of design, hiring, planting, monitoring, and replanting. None of the steps would begin until funding is acquired because the NRCS requires restoration in order to provide the matching funds.

c. Third Party Impacts

No negative impacts are anticipated for potential third party landowners as a result of this project. The County will, however, have a small reduction in its tax base because the land will be valued for property taxes at less than agricultural value.

The positive impacts to third parties will include additional flood water storage and potentially cleaner water downstream as the riparian area functions as a buffer between agricultural chemical usage and the river. The riparian area will also, of course, generally add to the health of the river by allowing the natural hydrology to function and providing habitat.

Project Phase and Task	Direct Labor Hours	Direct Salary and Benefits	Overhead Labor (General, Admin. and fee)	Service Contracts	Material and Acquisition Contracts	Miscellaneous and other Direct Costs	Total Cost
Acquire per- petual easement (136.9 acres)	40	In kind	In kind	None	\$657,000	None	\$657,000
Acquire per- petual easement on add'l 3 acres	10	In kind	In kind	None	\$ 30,000	None	30,000
Hire consultants, hire contractors, obtain permits, supervise project	50	In kind	\$50,000	None			50,000
General contracting	100	None	None	10,000		None	10,000
Design contours/ levee modifications	60	None	None	\$ 5,000		None	5,000
Implement design to immediately optimize hydrologic restoration (earth moving)	120	None		\$155,000			155,000
Design vegetation plan	10	None		\$ 2,000		None	2,000
Replant vegetation including tubex/cages and irrigation	400	None		\$ 94,000		None	94,000
O & M, such as irrigation repairs, tree replacement	500	None		25,000			25,000
Monitor and report annually	150	None		15,000		None	15,000
Full project cost							1,043,000
Less NRCS matching funds							(311,000)
Net cost to CALFED							\$732,000 =====

1008741

## VI. APPLICANT QUALIFICATIONS

The East Stanislaus Resource Conservation District (ESRCD) was organized in 1997 to provide services to the eastern half of Stanislaus County. ESRCD is the product of a consolidation of four previously existing Resource Conservation Districts that had served the community for over forty years. Mike McElhiney, the District Conservationist, has been very active with the West Stanislaus Resource Conservation District for many years and provided good guidance as they built a strong and productive RCD. The ESRCD is becoming a strong resource for its area by providing opportunities such as this proposal. The ESRCD is currently building working relationships with one of the local irrigation districts, Modesto Irrigation District, the local farm bureau, and Friends of the Tuolumne, among others.

The Friends of the Tuolumne (Friends) is a 501(c)(3) organization incorporated in California. The Friends is a signatory to the 1995 FERC Settlement Agreement for Don Pedro Dam. As a result of the Settlement Agreement, The Friends participate in the Tuolumne River Technical Advisory Committee. This participation brings a focus on riparian issues to the TRTAC and helps distribute information throughout the community regarding activities along the river. The FERC Settlement Agreement calls for the City of San Francisco to give \$500,000 to an agency approved by the Friends of the Tuolumne, The Tuolumne River Preservation Trust, and the City of San Francisco. The ESRCD has been nominated as such agency and the legal documents are currently being negotiated.

The Friends of the Tuolumne are currently working with the City of Modesto to design a riparian restoration plan for approximately 20 acres along the Tuolumne River as it runs through Modesto. The Friends are also working with the City of Modesto to better manage the riparian zone between the river and the airport.

This project will be assisted by the Natural Resource Conservation Service (NRCS) and its staff. The designs will be approved by the NRCS. The ESRCD will organize the interested parties, provide public information, administer the funds, and enter into contracts as necessary. The Friends, as volunteers, will provide administrative services (preparing contracts, proposals, etc.), and serve as a liaison to the TRTAC and the community at large.

This project is approved and supported by the TRTAC draft Tuolumne River Corridor Restoration Plan for the 52 miles of the Tuolumne River from La Grange Dam to the San Joaquin River; there are no conflicts with other restoration plans. There are no conflicts of interest known to any of the applicants.

VII. COMPLIANCE WITH STANDARD TERMS AND  
CONDITIONS

See attached Form DI-2010.

The terms and conditions are agreeable to applicant and will be  
complied with.



## U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and  
Other Responsibility Matters, Drug-Free Workplace  
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions -** The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form for certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions -** (See Appendix B of Subpart D of 43 CFR Part 12.)

**Certification Regarding Drug-Free Workplace Requirements -** Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

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**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions**

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**CHECK ☒ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE**

---

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

---

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

---

**CHECK ☐ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE**

---

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DI-2010  
June 1995  
(This form replaces DI-1993, DI-1994,  
DI-1996, DI-1998 and DI-1999)

**PART C: Certification Regarding Drug-Free Workplace Requirements**

**CHECK ☒ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL**

**Alternate I. (Grantees Other Than Individuals)**

**A. The grantee certifies that it will or continue to provide a drug-free workplace by:**

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about—
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will —
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted —
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

**B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:**

**Place of Performance (Street address, city, county, state, zip code)**

6967 Grayson Rd, Modesto, California Stanislaus  
County 95358

Check ☐ if there are workplaces on file that are not identified here.

**PART D: Certification Regarding Drug-Free Workplace Requirements**

**CHECK ☐ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL**

**Alternate II. (Grantees Who Are Individuals)**

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

**PART E: Certification Regarding Lobbying**  
**Certification for Contracts, Grants, Loans, and Cooperative Agreements**

**CHECK ☒ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.**

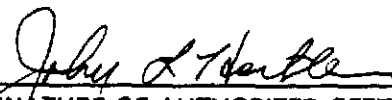
**CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.**

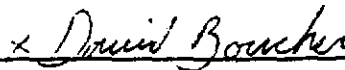
The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

  
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL



**TYPED NAME AND TITLE**

John Hertle, Chair  
East Stanislaus Resource Conservation District  
DATE

David Boucher, President  
Friends of the Tuolumne

x 6-28-98

x 6-28-98

6-02-1998 2:39PM

FROM PAUL VAN KONYNENBURG 209 545 4019

P.1



United States  
Department of  
Agriculture

Natural  
Resources  
Conservation  
Service

2121-C Second Street, Suite 102  
Davis, CA 95616-6472  
(916) 757-5237

May 21, 1998

Grayson River Ranch, LLC  
5518 Stoddard Road  
Modesto, CA 95356

Re: Wetland Reserve Program Easement

AMENDMENT #1

Mr. Paul Van Konynenburg:

You have indicated an intent to continue with the enrollment of 136.9 surveyed acres of wetland habitat in the Wetland Reserve Program (WRP). The Natural Resources Conservation Service (NRCS) is extending an offer of \$279,800.00 (Two hundred seventy nine thousand eight hundred dollars) for a perpetual easement on this land. This offer may be amended by the surveyed acres to provide for a 100 ft. buffer strip. The appraised value of \$657,000 has been reduced to the State Cap of \$2,000 per acre. We understand there are several Partners contributing to this plan and each will be making a separate offer for their participation. If, after acceptance of our offer you are not satisfied with the contract or the restoration plan you may cancel up to the time of closing without penalty. Early acceptance of our offer is necessary to keep the process moving ahead.

Since the access will be over land that you own we would like to have a grant of non-exclusive access over the Section Line Road. We would like to have the surveyor describe this road.

If this is acceptable to you, and you agree with the terms and conditions of the enclosed Option Agreement to Purchase and the sample Warranty Easement Deed forms, Please sign and return the enclosed Option Agreement to Purchase form. Please accept the enclosed \$1.00 to legally bind the commitment of the offer for the proposed easement purchase under the WRP Contract # 66-9104-8-80. It is important that this document is signed and returned to the above office by June 1, 1998. Failure to return the executed Option Agreement to Purchase form by the specified date will indicate to us that you have changed your mind and no longer wish to participate in the WRP program. The sample amended Warranty Easement Deed is enclosed for your information, and must be completed by the date of closing. We appreciate your continued interest in the WRP program.

Sincerely,

*Report, for*  
HELEN R. FLACH  
Assistant State Conservationist

cc: Alan R. Forkey, State Wetlands Biologist, NRCS, Davis State Office  
Michael A. McElhinney, District Conservationist, NRCS, Modesto Field Office  
John T. Beyer, Area Conservationist, NRCS, Fresno Area Office  
Financial Management, NRCS, Davis State Office

U.S. DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE

NRCS-LTP-20A  
5-95  
OMB No. 0578-0013

## OPTION AGREEMENT TO PURCHASE

### WETLANDS RESERVE PROGRAM

OPTION AGREEMENT TO PURCHASE NO. 65-9104-8-80

This Option Agreement is between the United States Department of Agriculture, Natural Resources Conservation Service (hereafter "NRCS"), and the following named Landowner(s), their heirs, successors and assigns (hereafter "Landowner"):

Name: Grayson River Ranch, LLC  
% Paul Van Konynenburg

Address: 5518 Stoddard Road  
Modesto, CA 95358

In consideration of One Dollar (\$ 1.00), receipt of which the Landowner acknowledges, the NRCS and the Landowner agree that:

1. To further the Wetlands Reserve Program (WRP), if the NRCS exercises this option to purchase, the Landowner agrees to convey a permanent WRP easement to the United States of America. The sample WRP easement is attached as EXHIBIT A and encumbers the land generally described or depicted on EXHIBIT B, (hereafter the "Property"). Except for normal farming, pasturing, and grazing, the Landowner agrees not to do, or allow others to do, any act by which the value or title to the Property may be diminished or encumbered.
2. Subject to the terms of this Agreement, the NRCS will pay the Landowner \$2,000.00 per recorded acre for about 138.9 acres for approximately \$279,800.00 (Two hundred seventy nine thousand eight hundred dollars) for a permanent WRP easement (to be adjusted by a 100 foot buffer strip. The Landowner agrees to provide clear and recorded access to the property and accepts this amount as the full and final compensation for conveyance of the easement.
3. NRCS will arrange for closing of the easement conveyance which may involve use of a title company or other closing agent. The NRCS will secure at its expense title evidence sufficient to meet Federal standards.
4. At closing, the Landowner agrees to execute an easement deed in the form described in EXHIBIT A, along with any other document which is necessary for the United States to acquire a satisfactory title to the Property. The Landowner shall pay at closing any conveyance taxes and taxes owing against the Property.



p. 2 of 3

Option Agreement to Purchase No. 86-9104-8-80  
Page 2

5. With prior notice to the Landowner, the NRCS may hereafter enter upon the Property for planning and acquisition purposes prior to closing. At its cost, the NRCS may survey and monument the Property and any associated access route.
6. All terms and conditions of this Agreement are expressly stated herein, and there are no other related representations or promises. No Member of or Delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this Agreement or benefit from it.
7. This agreement is effective for 9 months from the date of execution below. During that period, the NRCS has the option to acquire the easement for the stated purchase price.
8. Except for reasons beyond the control of the Landowner, if the Landowner fails to convey the easement, the Landowner will be in default and shall pay the United States the amount of costs incurred by NRCS for survey and all other actions taken after the date, and in furtherance, of this Option Agreement.

Executed this 2 day of June, 1998.

Landowner(s)

Paul J. Van Konynenbu  
For Gump River Ranch LLC

NRCS

Helen R. Flach

Title

Assistant State Conservationist

This instrument was drafted by the Office of the General Counsel, U. S. Department of Agriculture, Washington, D.C. 20250-1400.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

**TUOLUMNE RIVER CORRIDOR RESTORATION PLAN,  
STANISLAUS COUNTY, CA**

Prepared for:

Tuolumne River Technical Advisory Committee  
(Don Pedro Project, FERC License No. 2299)

June 1998

Prepared by:

McBain & Trush  
P.O. Box 663  
824 'L' Street, Studio 5  
Arcata, CA 95518

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

Project Title	Upper RM	Land availability	Connected to other restoration sites	Increases floodway width	Restoration size	Revegetation effort	Earthwork effort	Sustainability/longevity	TOTAL SCORE FOR ALL CRITERIA
USFWS National Wildlife Refuge Riparian Presrevation and Restoration	1.7	2	2	2	2	1	1	1	11
Turlock State Park Campground Riparian Enhancement	42.2	2	2	0	1	2	2	1	10
Bancroft Floodway, Wetland & Riparian Preservation and Restoration	4.1	0	2	2	2	1	2	1	10
USFWS National Wildlife Refuge Riparian Restoration	1.5	2	2	0	2	1	2	1	10
Basso Riparian Restoration	50.5	1	2	2	2	1	0	1	9
Dredger Tailing Reach Phase III Floodplain Riparian Revegetation	44.6	1	1	2	2	2	0	1	9
Warner Gulch Riparian Preservation	40.9	0	2	0	1	2	2	2	9
Airport to Legion Park Riparian Corridor Enhancement	19.3	2	2	0	1	1	2	1	9
Grayson River Ranch Floodway & Riparian Restoration	8.3	1	2	2	2	0	1	1	9
Joe Dornecq Wilderness	47.5	2	2	0	2	1	0	1	8
Dredger Tailing Reach Phase I Floodplain Riparian Revegetation	45.8	0	2	2	2	1	0	1	8
Lower Cree Floodplain Riparian Revegetation	42.3	1	2	0	2	1	1	1	8
Salter Gulch Floodplain Riparian Revegetation	41.7	1	2	0	2	1	1	1	8
Lower MTSP Riparian Floodplain	22.6	0	2	2	2	1	0	1	8
Airport to Legion Park Riparian Corridor Enhancement	17.5	2	2	0	0	1	2	1	8
Hwy 99 Riparian Corridor Restoration	16.4	2	1	1	2	0	1	1	8
Bellatina Park Riparian Restoration	14.1	2	1	0	2	0	2	1	8
Carpenter Road Riparian Restoration	12.9	2	2	0	1	0	2	1	8
Baker Road Floodway & Riparian Restoration	8.4	0	2	2	2	0	1	1	8
River Bend Floodway & Riparian Preservation and Restoration	7.1	0	2	2	2	0	1	1	8
South Confluence Floodway and Riparian Restoration	0.5	0	2	2	2	0	1	1	8
Upper Grayson Riparian Preservation and Restoration	7.1	0	1	2	1	1	2	1	8
Modesto Industrial Riparian and Floodway Restoration	16.0	1	1	1	0	2	2	1	8
Golf Course Road Riparian and Floodway Restoration	15.9	2	1	1	0	1	2	1	8
Dry Creek Confluence Riparian Restoration	17.0	1	1	2	1	1	1	1	8
Dredger Tailing Reach Phase II Channel Restoration	45.2	0	2	2	2	0	0	1	7
Tuolumne Resort Riparian Restoration	43.2	0	1	2	2	1	0	1	7
Riffle 48 Floodplain/Riparian Revegetation	33.7	0	2	2	1	1	0	1	7
Johansen Road Riparian Preservation	24.2	0	1	0	0	2	2	2	7
Lakewood Riparian Preservation and Enhancement	22.1	0	2	2	0	1	1	1	7
Empire Riparian Preservation and Enhancement	21.7	0	1	0	1	2	2	1	7
Modesto Riparian Corridor Enhancement, Education, Clean-up and Water Quality	19.3	0	2	0	1	1	2	1	7
Ohio Avenue Riparian Preservation	12.7	0	1	0	0	2	2	2	7
Audie Peeples Park	12.5	2	2	0	0	1	1	1	7
Poland Road Neighborhood Riparian Preservation and Enhancement	11.7	0	2	0	1	1	2	1	7
Lower Tuolumne Riparian Corridor Enhancement	10.5	0	2	0	2	0	2	1	7
Iowa Floodway & Riparian Restoration	9.3	0	1	2	2	0	1	1	7
Exotic Plant Species Removal & Prevention	52.0	0	2	0	2	1	2	0	7
Dos Rios Floodway and Riparian Restoration	2.0	0	2	2	2	0	0	1	7
Shiloh Bridge Left Bank Protection	5.1	0	1	1	1	1	2	1	7
Lower Modesto Corridor Restoration	11.7	0	0	1	1	2	2	1	7
Sawyer/7-11 Floodplain Riparian Revegetation	40.8	1	1	0	1	1	1	1	6
Riffle 76 point bar floodplain restoration	24.2	0	1	0	1	1	1	2	6
Gallo Riparian Floodplain	23.7	0	0	2	1	1	1	1	6
Upper MTSP Riparian Floodplain	23.1	0	1	2	1	1	0	1	6
Upper Leedom Road Riparian Floodplain	23.0	0	2	0	0	1	2	1	6
Tucker Riparian Floodplain	22.4	0	2	0	0	1	2	1	6
Mitchell Road Neighborhood Riparian Preservation and Enhancement	19.3	0	2	0	0	1	2	1	6
Hatch Road Riparian Restoration	12.0	0	2	0	0	1	2	1	6
USFWS National Wildlife Refuge Riparian Presrevation and Restoration	1.7	0	2	0	0	1	2	1	6
Service Road Floodway and Riparian Restoration	10.5	0	0	2	2	0	1	1	6
Waterford Treatment Plant Riparian Revegetation	31.7	1	0	0	1	0	2	1	5
Lower Mitchell Riparian Enhancement	19.5	0	1	0	0	1	2	1	5
Gallo Riparian Restoration	17.0	0	2	0	0	0	2	1	5
Dryden Park Riparian Corridor Restoration	15.2	2	0	0	0	0	2	1	5
Paradise Riparian Preservation and Restoration	3.5	0	0	2	2	0	0	1	5
West Shiloh Floodway and Riparian Restoration	3.4	0	0	2	1	1	0	1	5
Shiloh Bridge Right Bank Protection	3.6	0	0	1	0	1	2	1	5
Upper Mitchell Riparian Enhancement	20.0	0	0	0	0	1	2	1	4
Modesto Garbage Riparian Restoration	12.4	0	1	0	0	0	0	1	2

Table

Proposed Tuolumne River riparian restoration sites with prioritization criteria scoring.

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0282



TUOLUMNE RIVER TECHNICAL ADVISORY COMMITTEE  
DON PEDRO PROJECT - FERC LICENSE 2299

MODESTO IRRIGATION DISTRICT  
TURLOCK IRRIGATION DISTRICT  
CITY & COUNTY OF SAN FRANCISCO  
CALIFORNIA DEPARTMENT OF FISH & GAME  
U. S. FISH & WILDLIFE SERVICE



333 East Canal Drive  
Turlock, CA 95381-0949  
Phone: (209) 883-8275  
Fax: (209) 632-3864  
Email: tjford@ainet.com

TUOLUMNE RIVER  
TECHNICAL ADVISORY COMMITTEE

Mike McElhiney  
Natural Resource Conservation Service  
711 County Center Three Court  
Modesto, CA 95355

June 17, 1998

Dear Mr. McElhiney:

The Tuolumne River Technical Advisory Committee (TRTAC) is a product of the 1995 Don Pedro Project FERC Settlement Agreement (FSA). The FSA is a precedent-setting document signed by 11 parties representing water districts, government agencies, and environmental groups. The TRTAC is presently engaged in preparing a Restoration Plan for the 52-mile reach known as the Lower Tuolumne River from La Grange Dam to the San Joaquin River. Both the FSA and the plan in development recognize the importance of riparian habitat and the need for its restoration.

We the members of TRTAC are aware of the recent efforts of NRCS to acquire a perpetual conservation easement and restore riparian habitat on about 140 acres of the Tuolumne River floodplain known as the Grayson River Ranch Project west of Modesto. This site at River Mile 5.1 - 6.3 (left bank) has high potential for riparian habitat restoration. The project is consistent with and complementary to the non-flow options and habitat restoration provisions identified in the FSA. The TRTAC believes the Grayson River Ranch Project represents a significant opportunity to restore riparian habitat on the Tuolumne River, and we the members of the TRTAC support the NRCS efforts to acquire the perpetual conservation easement.

Sincerely,

*Tim Ford*

Tim Ford  
Coordinator, TRTAC  
Turlock and Modesto Irrigation Districts

*John W. Juley for Arthur E. Jensen*  
Bay Area Water Users Association

*Donald M. Vestergaard*  
City and County of San Francisco

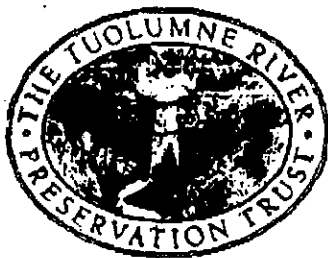
*Tim Ramey*  
Tuolumne River Preservation Trust

*W. George Neillands*  
California Department of Fish and Game

*William Bowker*  
Friends of the Tuolumne

*Sharon McKee*  
US Fish and Wildlife Service

CC: TRTAC Distribution, Paul Van Konynenburg



FORT MASON CENTER  
BUILDING C  
SAN FRANCISCO, CA 94123  
415/292-3531  
FAX 415/931-1813  
e-mail: tuolumne@lgc.apc.org

#### BOARD OF DIRECTORS

##### HONORARY CHAIR

David Brower

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Robert Canning  
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Patricia Sullivan  
Johanna Thomas

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American Rivers  
California Trout, Inc.  
Camp Tawonga  
Clavey River Preservation Coalition  
Federation of Fly Fishers  
Friends of Berkeley Camp  
Friends of the Earth  
Friends of the River  
National Audubon Society  
Natural Resources Defense Council  
Planning and Conservation League  
San Jose Family Camp  
Sierra Club  
Trout Unlimited  
Tuolumne River Expeditions, Inc.  
The Wilderness Society

June 26, 1998

Michael A. McElhiney, District Conservation  
U.S. Department of Agriculture, Natural Resources Conservation Service  
711 County Center III, Suite B  
Modesto, CA 95355

Dear Mr. McElhiney:

We are writing to express our support for your efforts to complete the Grayson River Ranch Project on the Tuolumne River. This project will provide a perpetual conservation easement on approximately 140 acres, returning historic floodplain to the river, restoring critical riparian habitat, and providing greater flexibility with flood management.

Since 1981, the Trust has been working to protect and restore the Tuolumne River. We are one of eleven signatories to the 1995 Don Pedro Project FERC Settlement Agreement, forged to guide the recovery of the river's famed Chinook salmon. We believe this project will re-create important riparian habitats, and also illustrate the potential for partnerships between the NRCS and landowners searching to balance the use of our natural resources.

The Grayson River Ranch project emerged during the recovery from the January 1997 flooding on the Tuolumne. Since that time, both you and the landowner have been patient and persistent in recognition of the opportunity provided. We are confident that your joint leadership will improve the future condition of the Tuolumne's riparian corridor.

Sincerely,

Tim Ramirez  
Resource Science Director

**STANISLAUS FLY FISHERMEN**

P.O. BOX 576131  
MODESTO, CALIFORNIA 95357-6131

6-10-98

Mike McElhiney  
Natural Resources Conservation Service  
711 County Center Three Court  
Modesto, California 95355

Dear Mr. McElhiney:


The Stanislaus Fly Fishermen is a club comprised of members who share an interest in the sport of fly fishing. Another keen interest of our club is restoration and preservation of the fishery and associated habitat.

It is with great pleasure that we learn that the Natural Resource Conservation Service and partners are pursuing restoration efforts on the Grayson River Ranch.

We strongly support the efforts you are making to contribute to restoring converted habitat and improving conditions in which the fishery of the Tuolumne River can recover.

If our club can be of assistance in completing your objective please contact us.

Sincerely,

  
Dave Boucher, President



Ecology  
Action  
Educational  
Institute

P. O. Box 134  
Modesto, California 95353

April 4, 1998

Mr. Michael A. McElhiney  
District Conservationist  
U.S. Department of Agriculture  
Natural Resources Conservation Service  
711 County Center III, Ste. B  
Modesto, CA 95355

Dear Mr McElhiney:

re: Van Konynenburg's conservation easement

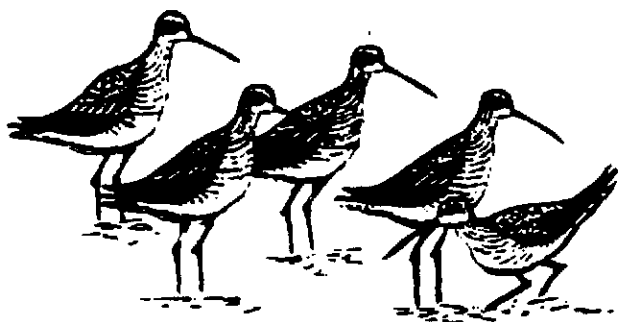
Thank you for your presentation last month at the Modesto Junior College. Conservation easements and wildlife habitat protection and restoration are of great concern to us. As you know, we published Restoring Our River, an environmental plan for the Tuolumne River Corridor to give the City of Modesto and Stanislaus County a conceptual framework that emphasized wild and native habitat.

Your work to acquire a perpetual conservation easement on Paul Van Konynenburg's Tuolumne River frontage will add another section to the river providing habitat for our wildlife. Restoring the land will provide habitat that has become less and less abundant.

Thank you for your work. We look forward to working with you and the East Stanislaus Conservation District in the next few months.

Sincerely,

  
Samuel Tyson  
President



**Stanislaus Audubon Society, Inc.**

P.O. Box 4012 • Modesto, CA 95352 • (209) 521-0108

April 1, 1998

Michael A. McElhiney  
District Conservationist  
US Department of Agriculture  
Natural Resources Conservation Service  
711 County Center III, Suite B  
Modesto, CA 95355

RE: Van Konynenburg's Conservation Easement

Dear Mr. McElhiney:

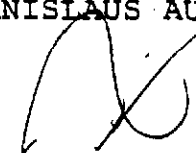
The Stanislaus Audubon Society has taken an interest in the Tuolumne River for many years. You may know that we purchased Chrisman Island and subsequently donated it to the US Fish and Wildlife Service. We also encouraged our US Congressional Representative, Gary Condit, to initiate the process necessary to acquire flood-prone lands for the San Joaquin Wildlife Refuge. That acquisition will soon add 3,000 acres to the Refuge.

We are, therefore, very supportive of your efforts in acquiring a perpetual conservation easement on Paul Van Konynenburg's Tuolumne River property. The property is only a couple of miles upstream of the Refuge, and will be a valuable addition to the riparian corridor after its restoration. The expansion from the current prevailing pattern of one line of trees only, on either side of the river, to a wider and more natural pattern is invaluable for migrating birds.

We hope to hear from you soon that the acquisition has been completed. Please keep us involved.

Very truly yours,

STANISLAUS AUDUBON SOCIETY

  
David J. Froba,  
President

DJF/mw



**YOKUTS GROUP**  
**MOTHER LODE GROUP - SIERRA CLUB**  
P.O. BOX 855  
MODESTO, CALIFORNIA 95353

March 26, 1998

Mr. Michael A. McElhiney  
District Conservationist  
U. S. Department of Agriculture  
711 County Center III, Suite B  
Modesto CA 95354

Dear Mr. McElhiney:

re: Van Konynenburg's conservation easement

Thank you for your work to acquire a perpetual conservation easement on Paul Van Konynenburg's property along the Tuolumne River. We are enthusiastic about the opportunity to restore riparian habitat on such a valuable piece of the river. The property offers so much in the way of wildlife and native plant habitat.

We hope this is just the first of many conservation easements along our river.

If we can help in any way, please let us know.

Sincerely,

Ann Ralph  
Conservation Committee Chair



